

Docket No. DELME-P2739

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dan W.C. Delmer

Serial No.: 09/904,975

Art Unit: 3679

Filed: July 12, 2001

Examiner: Aaron M. Dunwoody

For: PIPE COUPLING

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMUNICATION REGARDING EXPEDITED STATUS OF APPLICATION

Sir:

This communication follows Applicant's attorney's November 13, 2009 telephone conference with Supervisor Stodola regarding the effect of the granted *Petition to Make Special* on this application currently on Appeal, and records the facts discussed during that conference. In that regard, Applicant's attorney thanks the Supervisor for speaking with him earlier today.

In the aforementioned conference, Applicant's attorney and the Supervisor discussed Applicant's currently pending *Petition to Withdraw the Notice of Non-Compliant Appeal Brief* filed September 17, 2009. The Supervisor confirmed that the pending Petition will be taken up for review shortly, and that Applicant may expect a decision regarding that Petition in the next few weeks. Also, the Supervisor advised that

Certificate of Transmission

I hereby certify that this correspondence is being filed electronically via EFS with the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.
/Alison L. Vass/

November 13, 2009

Alison L. Vass, Reg. No. 63,078

DATE

upon granting the *Petition to Withdraw the Notice of Non-Compliant Appeal Brief* and acceptance of Applicant's Appeal Brief, the Supervisor will request that the Examiner furnish an Examiner's Answer to the Appeal Brief in an expedited time frame.

Furthermore, the Supervisor indicated that once the Examiner's Answer was mailed to Applicant, jurisdiction will pass to the Board of Patent Appeals and Interferences with notice as to the special status of Applicant's application, wherein the Board will expedite their review of the Appeal. At the Supervisor's suggestion, Applicant's attorney intends to contact the Board of Patent Appeals and Interferences to advise of the granted *Petition to Make Special*, and further request the Appeals process be expedited.

It is therefore Applicant's understanding that once jurisdiction passes to the Board of Patent Appeals and Interferences (i.e., once the Examiner provides an Examiner's Answer to Applicant's Appeal Brief), the Appeal process will be expedited in view of Applicant's granted *Petition to Make Special* based on Applicant's health. If Applicant's understanding in that regard is incorrect, Applicant respectfully requests clarification of the impact, if any, of a granted *Petition to Make Special* on the Appeals process generally.

Respectfully submitted,

Date: November 13, 2009

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